

**SUPREME COURT MINUTES
TUESDAY, MARCH 30, 2010
SAN FRANCISCO, CALIFORNIA**

S158007 B190957 Second Appellate District, Div. 3 **STEINHART (LORRAINE) v.
COUNTY OF LOS ANGELES**

Rehearing denied

S164614 C057766 Third Appellate District **PEOPLE v. S.C. (SPARKS)**
Rehearing denied

S162655 **GOODMAN (RANDALL L.) v.
LOZANO (JESUS)**

Opinion modified - no change in judgment
The opinion is modified on the court's own motion.

S179422 E047614 Fourth Appellate District, Div. 2 **PEOPLE v. LOWERY (EDDIE
JASON)**

Petition for review granted
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S161008 B188718 Second Appellate District, Div. 8 **VILLAGE NORTHRIDGE
HOMEOWNERS
ASSOCIATION v. STATE
FARM FIRE & CASUALTY
COMPANY**

Supplemental briefing ordered
The parties are requested to brief the following issue:
Should the court overrule *Garcia v. California Truck Co.* (1920) 183 Cal. 767, 773, and *Taylor v. Hopper* (1929) 207 Cal. 102, 105? Both parties are directed to serve and file simultaneous supplemental letter briefs limited to this question on or before April 19, 2010. The parties may serve and file simultaneous letter reply briefs within 10 days after the filing of the supplemental letter briefs.

S172903 B211805 Second Appellate District, Div. 5 **PRATHER (MICHAEL B.) ON H.C.**

Case consolidated - all subsequent events to be docketed in lead case

In re Miguel Molina on Habeas Corpus (S173260).

The above-captioned matters are consolidated for purposes of oral argument and opinion. For purposes of oral argument, respondent Department of Corrections is allocated 30 minutes and petitioners are allocated 15 minutes each in their respective actions (Molina, petitioner in S173260, and Prather, petitioner in S172903).

S173260 B208705 Second Appellate District, Div. 6 **MOLINA (MIGUEL) ON H.C.**

Case consolidated with:

In re Michael B. Prather on Habeas Corpus (S172903).

The above-captioned matters are consolidated for purposes of oral argument and opinion. For purposes of oral argument, respondent Department of Corrections is allocated 30 minutes and petitioners are allocated 15 minutes each in their respective actions (Molina, petitioner in S173260, and Prather, petitioner in S172903).

S180389 D053738 Fourth Appellate District, Div. 1 **OHTON (DAVID) v. CALIFORNIA STATE UNIVERSITY OF SAN DIEGO**

Petition for review granted; briefing deferred (rule 8.512(d)(2))

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Runyon v. Board of Trustees of California State University*, S168950 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S180445 C059021 Third Appellate District **PEOPLE v. SCHWARZ (JOHN BRUCE)**

Petition for review granted; briefing deferred (rule 8.512(d)(2))

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Dungo*, S176886, *People v. Gutierrez*, S176620, *People v. Lopez*, S177046, and *People v. Rutterschmidt*, S176213 (see Cal. Rules of Court, rule 8.524 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.528, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S179638 D053875 Fourth Appellate District, Div. 1 **PEOPLE v. AGUON
(ANTHONY SALAS)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division One
The petition for review is granted.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with
directions to vacate its decision and reconsider the cause in light of *People v. McKee* (20010) 47
Cal.4th 1172. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Moreno, and Corrigan, JJ.

S179867 H035137 Sixth Appellate District **JACKSON (JARED FLINT) v.
S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Sixth Appellate District, with
directions to issue an order to show cause

The petition for review is granted.

The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate
its order dated January 25, 2010, summarily denying the petition for writ of mandate and/or
prohibition, and to issue an order directing respondent superior court to show cause why the relief
sought in the petition should not be granted.

Votes: George, C. J., Kennard, Werdegarr, Moreno, and Corrigan, JJ.

S179262 B209514 Second Appellate District, Div. 8 **PEOPLE v. BENAVENTE
(GEOVANNY)**

Petition for review denied

S179301 G040848 Fourth Appellate District, Div. 3 **PEOPLE v. PHAM (CHI VAN)**
Petition for review denied

S179304 B208908 Second Appellate District, Div. 5 **PEOPLE v. JEFFERSON
(OMAR MALIK)**

Petitions for review denied

S179540 F055800 Fifth Appellate District **PEOPLE v. SEE (AITANG)**
Petitions for review denied

S179633 E047273 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JACKSON
(CLINTON)**

S179669 H033129 Sixth Appellate District

Petition for review denied

**PEOPLE v. QUIROZ
(MAXIMO CHAVEZ)**

S179676 D056524 Fourth Appellate District, Div. 1

Petition for review denied

**HAYES (BYRON) v. S.C.
(PEOPLE)**

S179689 H034315 Sixth Appellate District

Petition for review denied

IN RE B.A.

S179697 E045417 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SPARKS, JR.,
(ALBERT WESLEY)**

S179699 B216521 Second Appellate District, Div. 3

Petition for review & depublication request(s) denied

Chin, J., was recused and did not participate.

VIOXX CLASS CASES, IN RE

S179715 B209310 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. HALPERIN
(ANDREW)**

S179716 C060776 Third Appellate District

Petition for review denied

**PEOPLE v. BALTAZAR
(RUBEN MICHAEL)**

S179719 D054112/D055201 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WOOD (JAMES
RICHARD)**

S179732 D053807 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. HERNANDEZ
(CARLOS MORALES)**

S179753 B215035 Second Appellate District, Div. 1

Petition for review denied

**BLUE CROSS OF
CALIFORNIA, INC. v. S.C.
(PEOPLE)**

S179781 C059589 Third Appellate District

Petition for review denied

**PEOPLE v. BELKE
(RONALD)**

S179796 H034021 Sixth Appellate District

Petition for review denied

**PEOPLE v. KENNEDY
(BRIAN ROGER)**

S179800 B211850 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. FRANCO (DAVID
GARCIA)**

S179806 B210998 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. HENRY
(IBRAHIM BASIL)**

S179819 B210274 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. GARCIA (KEVIN)

S179859 D053306/D055005 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. VELARDE
(FERNANDO F.)**

S179868 B210879 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GONZALEZ-
ASTACIO (CARLOS)**

S179873 B208100 Second Appellate District, Div. 5

Petition for review denied

PEOPLE v. LOPEZ (RAY ANTHONY)

S179892 B214516 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. JUAREZ (HUGO DE LEON)

S179913 B209606 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. HENDERSON (DENSON G.)

S179922 C063645 Third Appellate District

SHINGLE SPRINGS BAND OF MIWOK INDIANS v. S.C. (SHARP IMAGE GAMING, INC.)

Stay dissolved; petition denied

The petition for review is denied.

The stay previously issued by this court on March 3, 2010, is hereby dissolved.

S179952 E047265 Fourth Appellate District, Div. 2

RIVERSIDE, COUNTY OF v. SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 721

Petition for review denied

S179962 A124023 First Appellate District, Div. 5

JACKSON (EMITT B.), ESTATE OF

Petition for review denied

S179972 B207182 Second Appellate District, Div. 5

PEOPLE v. JOHNSON (CLIFFORD)

Petition for review denied

S179989 B210198 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. CORTEZ
(ANGEL)**

S179998 B218629 Second Appellate District, Div. 4

Petition for review denied

**CHILDREN & FAMILY
SERVICES v. K.S.**

S180146 C060956 Third Appellate District

Petition for review denied

**PEOPLE v. FIERRO, JR.,
(SALVADOR)**

S180154 B212804 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. AVILA
(ENRIQUE)**

S180158 B221832 Second Appellate District, Div. 7

Petition for review denied

**THOMAS (CEDRIC
MAURICE) ON H.C.**

S180169 C061950 Third Appellate District

Petition for review denied

**PEOPLE v. CONCEPCION
(STEVEN THOMAS)**

S180193 B221479 Second Appellate District, Div. 2

Petition for review denied

Kennard, J., was recused and did not participate.

**PERRY (MOSHE) v. S.C.
(KEY AUTO RECOVERY)**

S180240 E046294 Fourth Appellate District, Div. 2

Petition for review denied

The request for judicial notice of the record in E046294 is granted.

The request for judicial notice of the record in E049371 is denied as unnecessary.

**PEOPLE v. PIERCE (SEBREN
ABBALUM)**

S180250 E049371 Fourth Appellate District, Div. 2

Petition for review denied

**PIERCE (SEBREN
ABBALUM) ON H.C.**

S180270 C059688 Third Appellate District

Petition for review denied

**PEOPLE v. MEDLYN
(STEVEN MICHAEL)**

S180283 D053628 Fourth Appellate District, Div. 1

Petition for review denied

**CHEE-WONG (MIGUEL) v.
CHEN (AINA)**

S180300 B221720 Second Appellate District, Div. 2

Petition for review denied

GONZALES (LEO) ON H.C.

S180314 B213470 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ZAMORA (JORGE
DAVID)**

S180320 B215821 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MORENO
(DAVID)**

S180332 D055155 Fourth Appellate District, Div. 1

Petition for review denied

LUGO (MARK) ON H.C.

S180335 B214563 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. ANDERSON
(MARTEL LEROY)**

S180351 B212567 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. GARCIA
(MIGUEL SERGIO)**

S180390 A121909 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. SMITH
(MICHAEL JAMES)**

S180393 B213471 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. BALLADAREZ
(ERNIE ANTHONY)**

S180394 B205660 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. DAVIS
(DESMOND DEON)**

S180395 B213488 Second Appellate District, Div. 4

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Dungo*, S176886, *People v. Gutierrez*, S176620, *People v. Lopez*, S177046, and/or *People v. Rutterschmidt*, S176213.

**PEOPLE v. GUTIERREZ
(HECTOR)**

S180411 C058910 Third Appellate District

Petition for review denied

**PEOPLE v. PEREZ
(FAUSTINO ANTHONY)**

S180412 B210914 Second Appellate District, Div. 2

Petition for review denied

**LIN (HUEY MEI) v. CITY OF
GARDENA**

S180415 B208091 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. REYMANN
(MICHAEL P.)**

S180418 A122033 First Appellate District, Div. 5

Petition for review denied

PEOPLE v. HOUSTON (ERIC)

S180420 B213137 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. JOHNSON
(KELLY MARVIN)**

S180425 B212217 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. ORNELAS
(SAMUEL BARBA)**

S180437 A123614 First Appellate District, Div. 3
Petition for review denied

**PEOPLE v. SABALLOS
(MARIO)**

S180438 A127507 First Appellate District, Div. 4

Petition for review denied

**YAN (MORGAN) v. S.C.
(ORKIN EXTERMINATING
COMPANY, INC.)**

S180439 F059327 Fifth Appellate District
Petition for review denied

FOSTER (MICHAEL) ON H.C.

S180441 G041100 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. BUTTERFIELD
(ROBERT GENE)**

S180447 H034129 Sixth Appellate District
Petition for review & depublication request(s) denied

IN RE I.W.

S180451 A127531 First Appellate District, Div. 5
Petition for review denied

McGUIRE (MARK) ON H.C.

S180456 B222032 Second Appellate District, Div. 3
Petition for review denied

SOSA (LUIS ADAN) ON H.C.

S180477 E047071 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CHAMBERS
(ANTHONY DWAYNE)**

S180479 B208205 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. GARNETT
(FARRAR)**

S180487 D053869 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. KITE, JR.,
(EVERETTE CARL)**

S180489 D053238 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. NASH (GERALD
MICHAEL)**

S180491 E046945 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. RIVAS (MIGUEL
ANGEL)**

S180493 C060337 Third Appellate District

Petition for review denied

**PEOPLE v. HEIFNER
(ROBERT EDWARD)**

S180498 C058482 Third Appellate District

Petition for review denied

**PEOPLE v. CHAVEZ
(HENRY)**

S180505 B208285 Second Appellate District, Div. 8

Petition for review denied

**SANCHEZ (JOSE V.) v. PHDC,
INC.**

S180518 A122471 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MACKEY
(MICHAEL EDWARD)**

S180536 B209681 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. RUSH (JESSIE
AKIM)**

S180537 C063995 Third Appellate District

Petition for review denied

**SANCHEZ, JR., (MANUEL
GUADALUPE) v. S.C.
(PEOPLE)**

S180540 A123483 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CUNNINGHAM,
JR., (JOHN EDWARD)**

S180545 C060014 Third Appellate District

Petition for review denied

**PEOPLE v. GALINDO (JOSE
ANTONIO)**

S180549 A120887 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SAELIAW
(KAOMANG PERMANETH)**

S180556 B221983 Second Appellate District, Div. 8

Petition for review denied

**T.R. v. S.C. (LOS
ANGELES COUNTY
DEPARTMENT OF
CHILDREN & FAMILY
SERVICES)**

S180558 B189049 Second Appellate District, Div. 4

Petitions for review denied

**PEOPLE v. MEDINA (JOSE
JESUS)**

S180569 E047753 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MARTINEZ
(ALEJANDRO)**

S180578 C060093 Third Appellate District
Petition for review denied

PEOPLE v. AROCHA (RUDY)

S180581 B211696 Second Appellate District, Div. 7
Petition for review denied

**PEOPLE v. RODRIGUEZ
(VERONICA RUIZ)**

S180836 B219463 Second Appellate District, Div. 7
Petition for review denied

**HAYE (WESLEY LLOYD) ON
H.C.**

S171541
Petition for writ of habeas corpus denied

**CEJAS (ANDREW A.) ON
H.C.**

S172264
The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

**HERRERA (CARLOS) ON
H.C.**

S172272
Petition for writ of habeas corpus denied

BRAVO (ANTHONY) ON H.C.

S172544
Petition for writ of habeas corpus denied

**LOMAS (RICHARD SOTO)
ON H.C.**

S173982
Petition for writ of habeas corpus denied

**GUEVARA (JOSE
FRANCISCO) ON H.C.**

S176051
Petition for writ of habeas corpus denied

**BROWN (RONNIE O.) ON
H.C.**

S176523**HUMPHREY (IRVING) ON
H.C.**

Petition for writ of habeas corpus denied

S176525**McINTYRE (GENE) ON H.C.**

Petition for writ of habeas corpus denied

S176654**WHITFIELD (TIMOTHY
LEON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S176667**HARRIS (ARTHUR LEE) ON
H.C.**

Petition for writ of habeas corpus denied

S176735**ANNIN (RAYMOND) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S176849**BASSEY (SAMUEL) ON H.C.**

Petition for writ of habeas corpus denied

S176874**RAMIREZ (JESSE JOSE) ON
H.C.**

Petition for writ of habeas corpus denied

S176916**ELLIS (CALEB) ON H.C.**

Petition for writ of habeas corpus denied

S176963**ANDERSON (FREDRICK) ON
H.C.**

Petition for writ of habeas corpus denied

S177008**DURBIN (JAMES NICKOLAS)
ON H.C.**

Petition for writ of habeas corpus denied

S177026**CARVAJAL (PEDRO
ROBAINA) ON H.C.**

Petition for writ of habeas corpus denied

S177089**LAGADIA (JOFFREY) ON
H.C.**

Petition for writ of habeas corpus denied

S177093**VANCE, JR., (GREGORY) ON
H.C.**

Petition for writ of habeas corpus denied

S177105**HAWKINS (JOHN BARRETT)
ON H.C.**

Petition for writ of habeas corpus denied

S177108**TAFOYA (RAYMOND) ON
H.C.**

Petition for writ of habeas corpus denied

S177114**TATUM (BRYAN KEITH) ON
H.C.**

Petition for writ of habeas corpus denied

S177129**WALLACE (NATHANIEL
DEON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S177143**WALKER (RONALD DEAN)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

S177164**MOORE (WILLIE ALONZO)
ON H.C.**

Petition for writ of habeas corpus denied

S177181**GARCIA (ROBERT JOHN)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S177191**DUFFIE (KEVIN KYLE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

S177198**OCHOA (GABRIEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S177216**CARRILLO (FERNANDO Z.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S177217**MARTIN (DARRELL A.) ON
H.C.**

Petition for writ of habeas corpus denied

S177233**JOHNSON (DAVID B.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S177245**STEPHENS (JIMMIE) ON
H.C.**

Petition for writ of habeas corpus denied

S177246**WILLIE (DARREN
CHARLES) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S177250****HAYNES (KEVIN) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**S177253****FISCHER (JOSEPH ALAN)
ON H.C.**

Petition for writ of habeas corpus denied

S177270**MONCADA (ADRIAN H) ON
H.C.**

Petition for writ of habeas corpus denied

S177271**EVANS (DAMON DeSHAWN)
ON H.C.**

Petition for writ of habeas corpus denied

S177274**EVANS (TRACY) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S177280****SMITH (KENNETH) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709.)

S177295**WILSON, SR., (CLINTON
BRIAN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S177297**HALLMAN (JOE STANLI) ON
H.C.**

Petition for writ of habeas corpus denied

S177301**McKENZIE (ALEXANDER)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S177304**ROMERO (PATRICK) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S177310**BARROW (RAEKUBIAN A.)
ON H.C.**

Petition for writ of habeas corpus denied

S177315**SARDINAS (ROLANDO
PALMER) ON H.C.**

Petition for writ of habeas corpus denied

S177316**BARTHOLOMEW (JOHN) ON
H.C.**

Petition for writ of habeas corpus denied

S177319**HERRING (DION ISAAC) ON
H.C.**

Petition for writ of habeas corpus denied

S177320

Petition for writ of habeas corpus denied

HARPER (JACK) ON H.C.**S177349**

Petition for writ of habeas corpus denied

**VELLA (JOHN ANTHONY)
ON H.C.****S178020**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**CEJAS (ANDREW A.) ON
H.C.****S178022**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)

**CHATMAN (WALDEN) ON
H.C.****S178190**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**ROMERO (PATRICK) ON
H.C.****S179575** D054181 Fourth Appellate District, Div. 1

Publication request denied (case closed)

**VALDIVIA (ISABEL) v.
CERTAINTED
CORPORATION****S052808**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to June 17, 2010, or the date upon which rehearing is either granted or denied, whichever occurs first.

**PEOPLE v. GAMACHE
(RICHARD CAMERON)**

S065233**PEOPLE v. SMITH (FLOYD DANIEL)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by June 1, 2011, counsel's request for an extension of time in which to file that brief is granted to June 1, 2010. After that date, only six further extensions totaling about 360 additional days are contemplated.

S105857**PEOPLE v. JOHNSON (LUMORD)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Arnold A. Erickson's representation that he anticipates filing the appellant's opening brief by August 1, 2010, counsel's request for an extension of time in which to file that brief is granted to June 1, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S118147**PEOPLE v. MIRANDA-GUERRERO (VICTOR M.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 1, 2010.

S138625**KENNEDY (JERRY NOBLE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Michael Clough's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 31, 2010, counsel's request for an extension of time in which to file that document is granted to June 1, 2010. After that date, no further extension is contemplated.

S171297**DE PRIEST (TIMOTHY LEE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Patricia A. Young's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 21, 2010, counsel's request for an extension of time in which to file that document is granted to May 21, 2010. After that date, only one further extension totaling about

60 additional days is contemplated.

S177403 B214119 Second Appellate District, Div. 5

**UNITED TEACHERS LOS
ANGELES v. LOS ANGELES
UNIFIED SCHOOL DISTRICT**

Extension of time granted

On application of plaintiff and appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to May 20, 2010.

S010164

**PEOPLE v. BEELER
(RODNEY GENE)**

Counsel appointment order filed

Good cause appearing, the application of appointed counsel for permission to withdraw as attorneys of record for condemned inmate Rodney Gene Beeler, filed March 12, 2010, is granted. The order appointing the California Appellate Project and Richard C. Neuhoﬀ as lead and associate counsel of record, respectively, for condemned inmate Rodney Gene Beeler, filed December 17, 1997, is hereby vacated.

The Federal Public Defender for the Central District of California and Karen S. Schryver are hereby appointed attorneys of record for condemned inmate Rodney Gene Beeler, the former as lead counsel and the latter as associate counsel. Counsel are appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S049389

**PEOPLE v. LENART
(THOMAS HOWARD)**

Counsel appointment order filed

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Thomas Howard Lenart, filed March 9, 2010, is granted.

The order appointing Phyllis M. Quatman as lead habeas corpus and executive clemency counsel of record for condemned prisoner Thomas Howard Lenart, filed June 26, 2000, is hereby vacated. Wesley A. Van Winkle is hereby appointed attorney of record for condemned prisoner Thomas Howard Lenart. Counsel is appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S165549**KLEIN (ALAN RICHARD) v.
UNITED STATES OF
AMERICA**

Order filed

The above entitled matter is retitled as follows:

ALAN RICHARD KLEIN et al., Plaintiffs and Appellants,

v.

UNITED STATES OF AMERICA et al., Defendants and Respondents.

S169195**KLEFFMAN (CRAIG E.) v.
VONAGE HOLDINGS
CORPORATION**

Order filed

The above entitled matter is retitled as follows:

CRAIG E. KLEFFMAN, Plaintiff and Appellant,

v.

VONAGE HOLDINGS CORPORATION, a New Jersey Corporation, et al., Defendants and Respondents.

CRAIG E. KLEFFMAN, Plaintiff and Respondent,

v.

VONAGE HOLDINGS CORPORATION et al., Defendants and Appellants.**S175204** G040843 Fourth Appellate District, Div. 3**RUIZ (ALEJANDRA) v.
PODOLSKY (ANATOL)**

Order filed

Having further examined the materials filed in this case, Justice Werdegarr has recused herself.

S180286**ACCUSATION OF BEEBE**

Petition denied

(accusation)

S180462**ACCUSATION OF
MONTANO**

Petition denied

(accusation)

S177003**McINTOSH ON DISCIPLINE**

Request for rehearing of State Bar discipline denied

Kennard, Werdegar, and Moreno, JJ., are of the opinion the petition should be granted.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 916)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
MAY 3, 4, 5 and 6, 2010**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 3, 4, 5 and 6, 2010.

MONDAY, MAY 3, 2010 — 1:30 P.M.

- | | |
|---------|---|
| S166435 | Clayworth v. Pfizer, Inc., et al. (<i>Kennard, Chin and Corrigan, JJ., not participating; Ruvolo, Robie and Miller, JJ., assigned justices pro tempore</i>) |
| S175907 | People v. Indiana Lumbermens Mutual Ins. Co. |
| S015384 | People v. Letner (Richard Lacy) and Tobin (Christopher Allan) [Automatic Appeal] |

TUESDAY, MAY 4, 2010 — 9:00 A.M.

- | | |
|---------|---|
| S152934 | Coral Construction, Inc. v. City & Co. of San Francisco et al. (and companion case) |
| S173260 | In re Molina (Miguel) on Habeas Corpus and S172903 In re Prather (Michael) on Habeas Corpus |
| S167051 | People v. Perez (Rodrigo) |

1:30 P.M.

- | | |
|---------|---|
| S170528 | People v. Fontana (Danny Alfred) |
| S083904 | People v. Verdugo (Nathan James) [Automatic Appeal] |
| S029011 | People v. Solomon, Jr. (Morris) [Automatic Appeal] |

WEDNESDAY, MAY 5, 2010 — 9:00 A.M.

- | | |
|---------|--|
| S174016 | Minkler v. Safeco Ins. Co. |
| S163681 | County of Santa Clara et al. v. Superior Court of Santa Clara Co. (Atlantic Richfield Co., et al., Real Parties in Interest) |
| S162647 | City of San Jose v. Operating Engineers Local Union No. 3 et al. |

1:30 P.M.

S165113 Los Angeles Unified School Dist. v. Great American Ins. Co.
S170550 Galindo v. Superior Court of Los Angeles Co. (City of Los Angeles Police
Dept., Real Parties in Interest)
S031641 People v. Tate (Gregory O.) [Automatic Appeal]

THURSDAY, MAY 6, 2010 — 9:00 A.M.

S169195 Kleffman v. Vonage Holdings Corp.
S165906 Haworth et al. v. Superior Court of Los Angeles Co. (Susan Amy Ossakow,
Real Party in Interest)
S165549 Klein et al. v. United States of America et al.

1:30 P.M.

S171895 People v. Herrera (Honorio Moreno)
S107508 In re Valdez (Alfredo Reyes) on Habeas Corpus
S053228 People v. Alexander (Andre) [Automatic Appeal]

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

